## REMARKS

This amendment is in response to the Office Action dated March 6, 2006. Because this response is filed on September 6, 2006 with a three-month extension of time and a Request for Continued Examination, the amendment is timely filed and shall be considered.

## I. Status of the Amendments

Prior to this amendment, claims 1-3, 14-21, 34-39, and 41 were pending. By this amendment, claims 1, 14, 17, 34, 39, 41 have been amended. Consequently, claims 1-3, 14-21, 34-39, and 41 remain pending.

## II. Response to March 6 Office Action

Claims 1-3, 14-21, 34-39, and 41 are rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the enablement requirement. Claims 1-3, 14-20, 34-37, 39, and 41 are rejected under 35 U.S.C. 102(b) as allegedly anticipated by Walker et al. (U.S. Patent No. 6,077,163). Claims 21 and 38 are rejected under 35 U.S.C. 103 as allegedly unpatentable over Walker et al. in view of Lott (U.S. Patent No. 5,851,011). Applicants respond as follows.

In regard to the rejection based on section 112, first paragraph, applicants have amended claim 1. Claim 1 now recites "deducting a fee at intervals from the value total, the intervals being independent of play of said game represented by said video image and independent of input from a player." Thus, claim 1 recites that the interval is independent of the player of the game and independent of the input from the player. Applicant submits that this is supported, for example, by the statement in the specification that "It may be possible for the player to player one, or more than one, or less than one hand, spin, card, ticket etc. per fee deduction depending upon the unit of time per fee and the length of time required by the player to complete the event." Page 10, lines 16-21. From this statement, it should be apparent that while the player has control of his or her inputs, the player is not in control of

the unit of time per fee, which unit of time per fee is the recited interval. Consequently, the rejection under section 112 should be withdrawn.

Similar language has been recited in claims 14, 17, 34, 39, and 41. Claim 14, as amended, recites "deducting a fee at intervals from the value total, the intervals being independent of play of said video slots game represented by said video image and independent of input from a player." Claims 17 and 34 recite "said controller being programmed to deduct a fee at intervals from the value total, the intervals being independent of play of said game represented by said video image and independent of input from a player." Claims 39 and 41 recite "a third memory portion physically configured in accordance with computer program instructions that would cause the gaming apparatus to deduct a fee at intervals from the value total, the intervals being independent of said game represented by said video image and independent of input from a player." Consequently, the rejection under section 112 regarding these claims should also be withdrawn.

Applicants also submit that the amendments made to claims 1, 14, 17, 34, 39, and 41 address the rejection under section 102 based on Walker.

That is, claim 1, as amended, recites a gaming method including receiving a value amount to initially define a value total, and causing a video image representing a game to be generated. The video image represents one of the following games: video poker, video blackjack, video slots, video keno and video bingo. The video image includes an image of at least five playing cards if the game comprises video poker, the video image comprising an image of a plurality of simulated slot machine reels if the game comprises video slots, an image of a plurality of playing cards if the game comprises video blackjack, an image of a plurality of keno numbers if the game comprises video keno, and an image of a bingo grid if the game comprises video bingo. The method also includes deducting a fee at intervals from the value total, the intervals being independent of play of the game represented by the video image and independent of input from a player, determining based on the fee a value payout associated with an outcome of the game represented by the video image, and adding the value payout to the value total.

In particular, the method includes deducting a fee at intervals from the value total, the intervals being independent of play of the game represented by the video image and independent of input from a player.

Applicants note that the sections of Walker that are relied upon in the March 6 Office Action state that, upon a premature cash out, the system determines a value of the remaining time left, and then when the player begins play at another machine, the system determines whether additional funds are required. See, Cols. 4:28-35, 11:51-59 and Fig. 11B and. Thus, the allegedly corresponding interval in Walker is not independent of player input, as it only occurs upon the player cashing out. As a consequence, the rejection under section 102 should be withdrawn.

Further, because claims 2 and 3 depend from claim 1, the rejection of these claims should also be withdrawn. As shown above, Walker does not anticipate claim 1. Because claim 1 is not anticipated and claims 2 and 3 depend from claim 1, Walker does not, at least for this reason, anticipate claims 2 and 3. Thus, the rejections of claims 2 and 3 should be withdrawn.

As for independent claims 14, 17, 34, 39, and 41, it has been shown that each of these claims is similar to claim 1 in regard to the limitations particular noted above and relied upon to distinguish Walker. While claims 14, 17, 34, 39, and 41 may differ from claim 1 (and each other) in other regards, because of the similarity of the claims in regard to the limitation particularly noted above, the arguments made above relative to claim 1 apply with equal force to claims 14, 17, 34, 39, and 41. As such, the rejection of these claims should be withdrawn.

As to dependent claims 15, 16, 18-21, and 35-38, because these claims depend from one of claims 14, 17, or 34, the rejection of these claims should also be withdrawn. As shown above, Walker does not anticipate claims 14, 17 or 34. Because claims 14, 17, and 34 are not anticipated, claims 15, 16, 18-21, and 35-38 depend from one of claims 14, 17 or 34, and because the rejections of claims 15, 16, 18-21, and 35-38 are based on the anticipation of claims 14, 17, or 34 by Walker, Walker does not, at least for this reason, anticipate or render obvious claims 15, 16, 18-21, and 35-38. Thus, the rejections of claims 15, 16, 18-21, and 35-38 should be withdrawn.

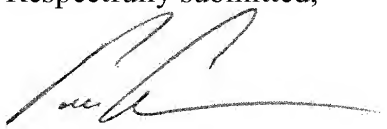
In view of the foregoing, it is respectfully submitted that the above application is in condition for allowance, and reconsideration is respectfully requested.

Additionally, the undersigned respectfully requests an opportunity to discuss this with the Examiner. As such, the Examiner is invited to contact the undersigned representative at the telephone number set forth below. If the Examiner has not contacted the undersigned within a week of the mailing date of this response, the undersigned will contact the Examiner to establish a date and time to discuss the amended claims further.

In any event, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 13-2855, under Order No. 29757/P-570.

Dated: September 6, 2006

Respectfully submitted,



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